

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kirby et al.

Serial No.: 10/791,195

Filed: March 2, 2004

For: COMPLIANT CONTACT PIN  
ASSEMBLY AND CARD SYSTEM (as  
amended)

Confirmation No.: 1984

Examiner: P. Patel

Group Art Unit: 2829

Attorney Docket No.: 2269-5865US  
(03-0257.00/US)

Notice of Allowance Mailed:

June 5, 2007

VIA ELECTRONIC FILING  
AUGUST 16, 2007

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed June 5, 2007 and sets forth Applicants' comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

In the Notice of Allowance mailed October 5, 2005, the Examiner indicates:

[I]n the examiner's opinion, the allowability of claim 1-20, 43-58 resides in the combination of elements which has been recited in independent claim 1

Regard claim 1: Benjamin (US 2001/0020545) discloses in figure 10A – 10J a contact pin assembly, comprising: a substantially planar substrate (1008), a first contact pin having a contact end on a first side of the substrate and formed in a place from a first portion of the substrate (1008); and first compliant coupling structure (1026 included 1020 rhodium, 1022 nickel and 1024 gold layer, page 37, paragraph 0636) to couple the first contact pin (a straight portion between 1050a and 1050 as shown in figure 10E) in an orthogonally compliant orientation with the substantially planar substrate (1008).

There would be no motivation to make this modification as Benjamin teaches a first contact pin having a contact end on a first side of the substrate and formed in a place from a first portion of the substrate.

Regard claim 43: Benjamin discloses in figure 11A – 11F a contactor card, comprising: a substrate (1008) configured for attachment with a semiconductor tester and at least one contact pin assembly, including: a substantially planar substrate (explain in claim 1), a first contact pin formed in place from a first portion of the substrate; and first compliant coupling structure to couple the first contact pin in an orthogonally compliant orientation with the substrate.

There would be no motivation to make this modification as Benjamin teaches a first contact pin having a contact end on a first side of the substrate and formed in a place from a first portion of the substrate.

In the Notice of Allowance mailed June 5, 2007, the Examiner indicates:

After reviewing of the prior art references the Examiner found that claims 1-20 and 43-58 are allowed for the same reason as mentioned in the previous office action (see Applicants' arguments in the Remarks pages 9-12, filed 11/28/2006).

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, which is exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The independent claims as allowed recite features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends,

provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that, pursuant to 37 C.F.R. §1.104(e), the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



Kevin K. Johanson  
Registration No. 38,506  
Attorney for Applicants  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: August 16, 2007  
KKJ/mah:lmh

\\\Traskbritt\fs1\Shared\DOCS\2269-5865US\239254.doc